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11 Attorneys for Defendants
12 Countrywide Home Loans, Inc. (d/b/a
13 America's Wholesale Lender), BAC Home
14 Loans Servicing, LP (f/k/a Countrywide
15 Home Loans Servicing L.P.), ReconTrust
16 Co., N.A., Bank of America, N.A., and
17 Bank of New York Mellon f/k/a The
18 Bank of New York as Trustee

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21 UNITED STATES DISTRICT COURT
22
23 NORTHERN DISTRICT OF CALIFORNIA
24

25 PETRA MARTINEZ,
26 Plaintiff,
27
28 v.
17 AMERICA'S WHOLESALE LENDER, *et al.*,
18 Defendants.

Case No.: 09-cv-05630-WHA
(Superior Court Case No. M100410)

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**SUPPLEMENTAL DECLARATION OF
MICHAEL CERCHIO IN SUPPORT
OF DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT**

29
30 Date: March 4, 2010
31 Time: 8:00 a.m.
32 Courtroom: 9, 19th Floor
33 Judge: Hon. William H. Alsup

1 I, Michael Cerchio, declare as follows:

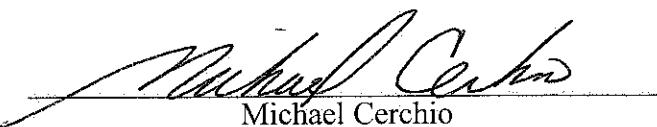
2 1. I am Vice President in the Corporate Trust Services department of The Bank of New
3 York Mellon f/k/a The Bank of New York as Trustee ("BNY"). I am making this declaration in
4 support of the motion for summary judgment ("Motion") filed in this action by defendants
5 Countrywide Home Loans, Inc. (d/b/a America's Wholesale Lender), BAC Home Loans Servicing,
6 LP (f/k/a Countrywide Home Loans Servicing L.P.), ReconTrust Co., N.A., Bank of America, N.A.,
7 and BNY. I am familiar with the facts and circumstances set forth herein, based on my review of
8 BNY's records.

9 2. In paragraphs 3, 4, and 5 of my January 27, 2010 declaration in support of the Motion,
10 I referred to a May 1, 2006 pooling and servicing agreement ("PSA"). A true and correct copy of the
11 PSA is attached hereto as Exhibit 1.

12 3. A copy of the PSA is also publicly available on the website of the United States
13 Securities and Exchange Commission ("SEC"). The CHL Mortgage Pass-Through Trust 2006-
14 HYB4 filed the PSA with the SEC on June 9, 2006 as an exhibit to a Form 8-K. Links to the Form
15 8-K and the PSA are available at the following web page:

16 <http://www.sec.gov/Archives/edgar/data/1362460/000090514806004352/0000905148-06-004352-index.htm>

17 I declare under the penalty of perjury that the foregoing is true and correct. Executed on this
18 18th day of February 2010, at New York, NY.

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21 Michael Cerchio

22 Michael Cerchio
23 Vice President
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